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Attorneys for Plaintiff SPORTS SHINKO CO., LTD.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

SPORTS SHINKO CO., LTD., a Japanese corporation,

Plaintiff,

vs.

QK HOTEL, LLC, a Hawai'i limited liability company, KG HOLDINGS, LLC, a Hawai'i limited liability company, FRANKLIN K. MUKAI,

Defendants,

CIVIL NO. CV 04-00124 ACK/BMK

CONSOLIDATED CASES

PLAINTIFF SPORTS SHINKO
CO., LTD.'S ANSWERS TO
DEFENDANT FRANKLIN K.
MUKAI'S FIRST REQUEST
FOR ANSWERS TO
INTERROGATORIES TO
PLAINTIFF (IN CIVIL
NO. CV 04-00127 ACK/BMK),
DATED OCTOBER 19, 2006

(WAIKIKI) CORPORATION, a)
Hawai`i corporation, and)
OCEAN RESORT HOTEL)
CORPORATION, a Hawai`i	
corporation,	,
Third-Party	,
Defendants.	,

PLAINTIFF SPORTS SHINKO CO., LTD.'S ANSWERS TO DEFENDANT FRANK MUKAI'S FIRST REQUEST FOR ANSWERS TO INTERROGATORIES TO PLAINTIFF (IN CIVIL NO. CV04-00127 ACK/BMK), DATED OCTOBER 19, 2006

Plaintiff Sports Shinko Co., Ltd. ("SS Japan"), hereby responds and objects to Defendant FRANKLIN K. MUKAI's ("Mukai") First Request for Answers to Interrogatories dated October 19, 2006 as follows:

GENERAL OBJECTIONS

1. SS Japan objects to the Interrogatories to the extent they seek information protected by the attorney-client privilege, the work product doctrine and any other applicable privilege, and no such information will be provided. By responding to the Interrogatories, SS Japan does not waive, intentionally or otherwise, its attorney-client privilege, work product doctrine

possession of, and may just as easily ascertain the answers for himself from his own documents and knowledge. Answer is subject to ongoing discovery. Without waiving these objections, Plaintiff SS Japan responds as follows:

ANSWER:

- (a) Plaintiff has already produced, or will produce, non-privileged documents in response to this interrogatory. See attached chart of Bates Numbers of certain responsive documents. Plaintiff has no obligation to provide, and will not provide, an exhaustive list. See also January 15, 2002 report from Satoshi Kinoshita to Toshio Kinoshita, Takeshi Kinoshita and Tsugio Fukuda marked as *Exhibit 20* Plaintiff and Third-Party Defendants, the SS Entities' Concise Statement of Facts in Support of Opposition to KG Defendants' Motion for Summary Judgment in Civil No. 04-00128 ACK-BMK filed on February 21, 2006.
- (b) See answers to (a) above.
- (c) See answers to (a) above.
- (d) See answers to (a) above.
- 5. As to SS Japan's alleged status of a creditor of SS Waikiki, state, as of the date of the Purchase and Sale Agreement:
 - (a) The amount of SS Waikiki's indebtedness.
 - (b) Identify any document, including, but not limited to, all promissory notes which evidence, directly or indirectly, the indebtedness.

(c) Describe all changes in the inter-company accounts with respect to any such debts from the date of the Purchase and Sale Agreement to present.

Objection: Unduly burdensome and seeks attorney work product. Plaintiff SS Japan is not required to provide its complete analysis or list of all facts relevant to this issue to Defendant Mukai, who is in possession of, and may just as easily ascertain the answers for himself from his own documents and knowledge. Answer is subject to ongoing discovery. Without waiving these objections, Plaintiff SS Japan responds as follows:

ANSWER:

- (a) Plaintiff has already produced, or will produce, non-privileged documents in response to this interrogatory. See attached chart of Bates Numbers of certain responsive documents. Plaintiff has no obligation to provide, and will not provide, an exhaustive list.
- (b) Same as above.
- (c) Same as above.
- 6. State all facts upon which you rely to support your allegation that SS Waikiki was insolvent on the date the Purchase and Sale Agreement was executed.

Objection: Unduly burdensome and seeks attorney work product. Plaintiff SS Japan is not required to provide its complete analysis or list of all facts relevant to this issue to Defendant Mukai, who is in possession of, and may just as easily ascertain the answers for himself from his own documents and knowledge. Answer is subject to ongoing

discovery. Without waiving these objections, Plaintiff SS Japan responds as follows:

ANSWER:

See answer to Interrogatory No. 5.

7. If you contend that SS Waikiki was insolvent as of January 15, 2002, state when SS Waikiki first became insolvent and provide the dates of any periods thereafter in which you contend that SS Waikiki was solvent.

Objection: Unduly burdensome and seeks attorney work product. Plaintiff SS Japan is not required to provide its complete analysis or list of all facts relevant to this issue to Defendant Mukai, who is in possession of, and may just as easily ascertain the answers for himself from his own documents and knowledge. Answer is subject to ongoing discovery. Without waiving these objections, Plaintiff SS Japan responds as follows:

ANSWER:

See answer to Interrogatory No. 5.

8. Identify all documents of which you are aware which support, either directly or indirectly, your allegation that SS Waikiki was insolvent at the time of the Sales Transaction.

Objection: Unduly burdensome and seeks attorney work product. Plaintiff SS Japan is not required to provide its complete analysis or list of all facts relevant to this issue to Defendant Mukai, who is in possession of, and may just as easily ascertain the answers for himself from his own documents and knowledge. Answer is subject to ongoing

discovery. Without waiving these objections, Plaintiff SS Japan responds as follows:

ANSWER:

See answer to Interrogatory No. 5.

9. State the name(s) and address(es) of each member of the Board of Directors and each shareholder of the company which acquired the stock of SS Japan from the Trustee and/or Deputy Trustees appointed by the District Court for Osaka, Japan in the bankruptcy proceedings referred to in paragraphs 46 and 48 of the Second Amended Complaint.

Objection: Vague and ambiguous, overly broad, unduly burdensome, misstates facts, harassing, seeks information protected by Japan's privacy laws, and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, Plaintiff SS Japan answers as follows:

ANSWER:

See Plaintiffs Sports Shinko Co., Ltd.'s and Sports Shinko (USA) Co., Ltd.'s Supplemental and Amended Answers to KG Interrogatories dated December 21, 2005. See also documents and information produced to the KG Defendants under the Stipulated Protective Order regarding South Wind Realty Finance (Cayman) Company ("SW"), including financials, tax returns, and corporate registry.

10. State the manner in which the loans referred to in paragraphs 7 and 12 of the Second Amended Complaint were treated in the financial statements of the acquiring company, and in the financial statements of the company whose stock was acquired as a result of the stock acquisition referenced in the preceding interrogatory.

Objection: Unduly burdensome, harassing, unintelligibly vague and ambiguous. Seeks opinion testimony and legal conclusions and confidential financial information of a nonparty. The request seeks information that is irrelevant to any claim or defense and is not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff SS Japan is not required to provide its complete analysis and compilation of all the facts and documents. Seeks information not within the control of Plaintiff SS Japan and information already produced in response to informal discovery requests subject to the Stipulated Protective Order. Without waiving these objections, Plaintiff SS Japan responds as follows:

ANSWER:

See answer to Interrogatory Nos. 5 and 9 and the referenced financial statements.

11. Describe any tax treatment underlying any benefit received by SS Japan or received by the company which acquired the stock of SS Japan from the Bankruptcy Trustee, on account of the inter-company debt between SS Japan, Sports Shinko (USA) Co., Ltd., and any of their subsidiaries, from January 2002 to the present.

Objection: Unduly burdensome, harassing, unintelligibly vague and ambiguous. Seeks opinion testimony and legal conclusions and confidential financial information of a non-party. Seeks privileged and confidential financial information

VERIFICATION

JAPAN SS: TOKYO

MICHIHIRO CHIKUBU, being first duly sworn on oath, deposes and says:

That he is the President of SPORTS SHINKO CO., LTD. and that he is an agent of SPORTS SHINKO CO., LTD. for the purpose of answering the foregoing requests for answers to interrogatories and for making this verification, and the foregoing answers are true according to his knowledge, information, and belief.

SPORTS SHINKO CO., LTD.

By _____ el__ Its MICHIHIRD CHIKUBU President

Begin Bates	Ending Bates	RFI#	Information for Documents With No Bates # or Documents With Only Box and File Number
F 1 1/ 0			Exhibit K-C to Plaintiffs' MIO to KG's Motion for Summary
Exh. K-C		1	Judgement
232 0527	232 0531	2	
232 0731	232 0738	2	
		2	Oral Deposition: Satoshi Kinoshita Taken 8/1/02 in Resnick vs. SSK litigation
		2	Oral Deposition: Satoshi Kinoshita Taken 4/19/05 - 4/21/05 in SS vs. RMS litigation 02-1-2766-11 litigation
001 1581	001 1585	4	
Exh. 20 to MIO		4	Exhibit 20 to Plaintiffs' MIO to KG's Motion for Summary
259 0001	259 0257	4	T () () () () () () () () () (
001 0883	001 0920	5	
001 0931	001 0934	5	
001 1818	001 1851	5	
003 0709	003 0716	5	
005 0380	005 0383	5	
013 1583	013 1584	5	
014 0021	014 0022	5	
014 0023	014 0028	5	
014 0058	014 0061	5	:
014 0191	014 0198	5	
014 0758	014 0761	5	
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019 1025	019 1028	5	
022 0046	022 0047	5	
022 0114	022 0119	5	
022 0506	022 0520	5	
022 0521	022 0522	5	
022 0995	022 1002	5	
022 1003	022 1006	5	
023-1(a)	022 1000	5	7/16/96 Fax fm T. Fukuda to F. Mukai, Esq. re Pukalani STP
023-1(b)		5	9/19/96 Fax fm T. Fukuda to S. Tomita (cc: S. Kinoshita, E. Kawatani, Esg.) re QKH/BOH Loan
026-2(a)		5	11/28/90 Fax memo fm T. Fukuda to H. Hanada (cc: F. Mukai) re capital stock of SSH
027 1011		5	
027 1012	027 1015	5	
028 1073	028 1076	5	
033 0192	033 0199	5	
033 0230	033 0249	5	
053-1(a)		5	//90 Draft: Agreement Between Sports Shinko Co., Ltd. and SSH
053-4(a)		5	5/29/90 Memo from F. Fukuda to F. Mukai re SSW
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068 0862	068 0863	5	
068 0864R	068 0865	5	
068 0866	068 0867	5	
068 0868		5	
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068 0870		5	
068 0871		5	
068 0872	068 0886	5	
068 0887	068 0892	5	
068 0893	068 0906	5	
068 0907	068 0916	5	
068 0961	068 0986	5	
069 1043	069 1047	5	
069 1048	069 1050	5	
069 1051	069 1052	5	
069 1053	069 1055	5	
069 1056R	069 1058	5	
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090 0267	090 0292	5	
090 0268;	090 0273	5	
090 0277	090 0280	5	
090 0286	090 0287	5	
090 0293	090 0311	5	
090 0294;	090 0307	5	
090 0312	090 0330	5	
090 0313;	090 0325	5	
090 0331	090 0349	5	
090 0332;	090 0346	5	
090 0350	090 0368	5	
090 0351;	090 0365	5	
090 0369	090 0387	5	
090 0370	090 0383	5	A
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090 0406	090 0421	5	
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091 1975	091 1977	5	
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091 2020	091 2023	5	
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091 2191	091 2192	5	
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093 0086	093 0088	5	
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	096 3127;	096 3134	5	
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	097 0049	097 0051	5	
	097 0418	097 0421	5	
	097 0481	097 0421	5	
	097 0431	097 0492	5	
	097 0732	097 0737	5	
	097 1008	097 1009	5	
	100 0217	100 0224	5	
	100 0394	100 0395	5	
	100 0427	100 0443	5	
	100 0509	100 0526	5	
	100 0611	100 0615	5	
	100 0686	100 0697	5	
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	100 0764	100 0766	5	
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103 2135	103 2137	5	
103 2154	103 2156	5	
103 2173	103 2174	5	
103 2175	103 2176	5	
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103 3381	103 3384		
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104 0582	4040004	5	
104 2393	104 2394	5	
104 2395	104 2396	5	
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104 2473	104 2474	5	
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105 0019;	105 0039	5	
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110 0135		5	
110 0200	110 0201	5	
110 0202	110 0203	5	
111 0265	111 0284	5	
111 0727;	111 0745	5	
111 0931		5	
111 1007	111 1016	5	
111 1384		5	
111 1608	111 1609	5	
111 2149	111 2151	5	
111 2559		5	
111 2584	111 2589	5	
111 2686		5	
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111 3003	111 3012	5	
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117 2130 117 2147 5 117 2176 117 2178 5	

117 2220 117 2225 5 117 2228 117 2231 5	
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118 0134 118 0149 5 1 118 0166 118 0200 5	
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118 0273 118 0284 5	

Begin Bates	Ending Bates	RFI#	Information for Documents With No Bates # or Documents With Only Box and File Number
118 0286	118 0302	5	With Only Box and the Wallber
118 0303	118 0317	5	
118 0339	118 0357	5	
119 0022	119 0034	5	
119 0057	119 0078	5	
119 0175	119 0196	5	
119 1604		5	
120 3162;	120 3245	5	
120 3359		5	
121 1484	121 1486	5	
121 1487		5	
123 0131	123 0138	5	
124 0518;	124 0567	5	
126 0108	126 0111	5	
126 0116	126 0117	5	
128 0036	128 0057	5	
128 0040;	128 0056	5	
128 0058	128 0079	5	
128 0080	128 0101	5	
128 0729	128 0740	5	
128 0741	128 0756	5	
128 0782		5	
128 0783	The same of the sa	5	p
128 0794	128 0796	5	
128 0844		5	
128 0864		5	
128 0887	128 0888	5	
128 0889		5	
128 0892		5	
128 0894	128 0895	5	
128 0907		5	
128 0908	128 0912	5	
128 0913		5	
128 0917	128 0921	5	
128 1048	128 1060	5	
128 1595		5	
128 1733		5	
128 1839	128 1840	5	
128 1847	128 1858	5	
128 1874	128 1880	5	
128 1874	128 1882	5	
128 1883		5	
128 1884	128 1889	5	
128 1884	128 1885	5	
128 1890		5	
128 1891		5	
128 1901	128 1904	5	
128 1909	128 1911	5	
128 1918		5	
128 1930	128 1958	5	The second section of

Begin Bates	Ending Bates	RFI#	Information for Documents With No Bates # or Documents With Only Box and File Number
129 0001	129 0006	5	That only box and rate of the control of the contro
129 0015	129 0035	5	
129 2333	129 2334	5	
129 2342	129 2343	5	
130 0677	130 0712	5	
130 0678;	130 0707	5	
130 0714;	130 0728	5	
130 0739	130 0764	5	
130 0818;	130 0831	5	
130 0853	130 0873	5	
130 0874	130 0894	5	
130 0895	130 0915	5	
130 0916	130 0936	5	
130 0937	130 0957	5	
130 0958	130 0975	5	
130 0977;	130 0992	5	
130 1052;	130 1064	5	
130 1074;	130 1086	5	
130 1275;	130 1307	5	
130 1350;	130 1372	5	
130 1376;	130 1398	5	
130 1402;	130 1426	5	
130 1433;	130 1463	5	
130 1467;	130 1493	5	
130 1670;	130 1690	5	
130 1672;	130 1676	5	
130 1692	130 1694	5	
130 1699;	130 1725	5	
130 1728;	130 1737	5	
130 1757;	130 1787	5	
130 1791;	130 1820	5	
130 2226	130 2230	5	
130 2226	130 2230	5	
130 2771	130 2776	5	
130 2771	130 2773	5	
130 2822;	130 2827	5	
130 2837	130 2837a	5	
130 2838	130 2839	5	
130 2840	130 2847	5	
130 2859	130 2864	5	
130 2865	130 2869	5	
130 2870	130 2878	5	
130 2879	130 2884	5	
130 2885	130 2890	5	
130 2891		5	
130 2892	130 2893	5	
130 2896	130 2902	5	
130 2903	130 2905	5	
130 3199	130 3203	5	
130 3246	1000200	5	
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Begin Bates	Ending Bates	RFI#	Information for Documents With No Bates # or Documents
130 3357;	130 3370	5	With Only Box and File Number
131 1226		5	
134 1237	131 1241	5	
	134 1239		
134 1282	134 1283	5	
134 1818	1011000	5	
134 1828	134 1830	5	
134 1832		5	
134 1833		5	
134 1839	134 1853	5	
134 1869	134 1876	5	
134 1877	134 1883	5	
134 1888		5	
135 1713		5	
136 1107	136 1109	5	
136 1126	136 1130	5	
136 1148	136 1150	5	
136 1349	136 1357	5	
136 2690	136 2693	5	
137 0605	137 0612	5	
137 0711	137 0716	5	
137 0997	137 0998	5	
137 1015	137 1040	5	
137 1101	107 1010	5	
137 1102		5	
137 1707	137 1711	5	
13.7 1907	10/ 1/11	5	
137 1914		5	
137 1914		5	
137 1921		5	
	137 2044	5	
137 2043 137 2130	137 2044		
		5	
139 0085	400.0400	5	
139 0419;	139 0430	55	
139 0424	139 0428	5	
139 0436;	139 0447	5	
139 0441	139 0443	5	
139 0453;	139 0464	5	
139 0458	139 0460	5	
139 0470	139 0481	5	
139 0475	139 0477	5	
139 0671;	139 0682	5	
139 0698;	139 0714	5	
139 0763	139 0765	5	
139 0767		5	
139 1542	139 1543	5	
139 1547		5	
145 0582	145 0585	5	
147 0239	147 0241	5	
147 0333	147 0334	5	
147 0388	147 0392	5	The state of the s
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Begin Bates	Ending Bates	RFI#	Information for Documents With No Bates # or Documents With Only Box and File Number
147 0757	147 0759	5	The state of the s
147 1544	147 1547	5	
147 1544;	147 1546	5	
149 0437	149 0447	5	
149 0437;	149 0444	5	
149 0446	149 0447	5	
149 0448		5	
149 0471;	149 0478	5	
149 0504	149 0522	5	
149 0523	149 0536	5	
149 0582;	149 0590	5	
149 1085		5	
149 1111	149 1113	5	
149 1131	149 1132	5	
149 1133		5	
149 1136		5	
149 1137	149 1138	5	
149 1148	149 1149	5	
149 1157	149 1158	5	
149 1167	149 1168	5	
149 1169		5	
149 1170		5	
149 1199	149 1200	5	
149 1207		5	
149 1271	149 1275	5	
149 1276		5	
149 1277		5	
149 1279	149 1280	5	
149 1283	149 1284	5	
149 1286	149 1287	5	
149 1309		5	
149 1329		5	
149 1330		5	
149 1344		5	
149 1345	149 1346	5	
149 1347		5	
149 1348	149 1353	5	
149 1357	149 1365	5	
149 1370	149 1371	5	
149 1522	149 1523	5	
149 1527	149 1528	5	
149 1535	149 1536	5	
149 1615	149 1616	5 5	
149 1692	149 1697	5	
149 1821;	149 1940	5	
149 1841	149 1848	5	
149 1841	149 1847	5	
149 1852		5 5	
149 1853		5 5	
149 1853		5	